

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

NYCOMED GmbH and WYETH

Plaintiffs,

V.

APOTEX Inc. and APOTEX Corp.

Defendants.

CASE NUMBER: 08 C 827

ASSIGNED JUDGE: Milton I. Shadur

DESIGNATED
MAGISTRATE JUDGE: Nan R. Nolan

TO: (Name and address of Defendant)

Apotex, Inc. and Apotex Corp.
William Rakoczy
6 West Hubbard St., Suite 500
Chicago, IL 60610
(312) 527-2157

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Ericka K. Foster
Paul Hastings Janofsky & Walker
191 N. Wacker Drive, Thirtieth Floor
Chicago, IL 60606

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

MICHAEL W. DOBBINS, CLERK

FEB 07 2008

JUSTEN COPPOLETTA
(By) DEPUTY CLERK

DATE

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 02.11.08
NAME OF SERVER (PRINT) Jim Joyce	TITLE Process Server

Check one box below to indicate appropriate method of service

G Served personally upon the defendant. Place where served:

Apotex, Inc., Apotex Corp., R. A. Williams & R. Koczy
 R. Koczy, Molino, Muzzochi, & Siwik, LLP
 6 W. Hubbard St, Ste. 500
 Chicago, IL 60610

G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

G Returned unexecuted: _____

G Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL 8 MI	SERVICES Process Service	TOTAL _____
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 02.11.08
Date

Signature of Server

6034 W. Irving Park Rd, Chicago, IL
 Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.